

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

UNITED STATES OF AMERICA,)	CASE NO. 5:22 CR 69
)	
Plaintiff)	JUDGE SOLOMON OLIVER, JR.
)	
v.)	ORDER ACCEPTING PLEA
)	AGREEMENT, JUDGMENT AND
JAMES D. DEMPSIE, III,)	REFERRAL TO U.S. PROBATION
)	<u>OFFICE</u>
Defendant)	

This case is before the Court on a Report and Recommendation filed by United States Magistrate Judge Jonathan D. Greenberg, regarding the change of plea hearing of James D. Dempsie, III, which was referred to the Magistrate Judge with the consent of the parties.

On February 17, 2022 the government filed a 1 count Indictment, charging Defendant Dempsie with Conspiracy to Commit Bank Fraud, in violation of Title 18 U.S.C. § 1349. On February 25, 2022, Mr. Dempsie was arraigned before Magistrate Judge Greenberg and entered a plea of not guilty. On May 5, 2022 a change of plea hearing before Magistrate Judge Greenberg was held. Defendant Dempsie entered a plea of guilty to count 1 of the Indictment and the court issued a Report and Recommendation (“R&R”), concerning whether the plea should be accepted and a finding of guilty entered.

Neither party submitted objections to the Magistrate Judge’s R&R in the fourteen days after it was issued.

On de novo review of the record, the Magistrate Judge’s R&R is adopted. Defendant Dempsie is found to be competent to enter a plea and to understand his constitutional rights. He is aware of the charges and of the consequences of entering a plea. There is an adequate factual basis

for the plea. The court finds the plea was entered knowingly, intelligently, and voluntarily. The plea agreement is approved.

Therefore, Defendant James D. Dempsie, III is adjudged guilty to count 1 of the Indictment, in violation of Title 18 U.S.C. § 1349. This matter was referred to the U.S. Probation Department for the completion of a pre-sentence investigation and report. Sentencing will be on August 18, 2022 at 2:00 p.m. in Courtroom 19A, Carl B. Stokes United States Court House, 801 West Superior Avenue, Cleveland, Ohio.

IT IS SO ORDERED.

/s/SOLOMON OLIVER, JR.
UNITED STATES DISTRICT JUDGE

June 7, 2022